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Commercial Union Assurance Companies

EXECUTIVE OFFICES: ONE BEACON STREET, BOSTON, MASSACHUSETTS 02108

March 13, 1981

[redacted]

Attn: [redacted]

Re: ASBESTOS LITIGATION
INSURED: [redacted]

Dear Mr. [redacted]

We have forwarded the enclosed self-explanatory letter to your primary insurance company.

As you know, the involvement and proper liability of the tobacco industry and the United States of America in this asbestos litigation is becoming obvious.

It is an established fact that smoking cigarettes and other forms of tobacco causes lung cancer and other debilitating lung diseases. Additionally, recent case law has indicated that the Government's knowledge of asbestos hazards has caused them to be exposed to liability. See, e.g., Berlieb v. Turner; Civ. No. 78-1027; E.D. Pa., October, 1980.

We believe that you should give immediate consideration to joining these parties in your asbestos lawsuits in order to obtain the maximum possible indemnity protection from your insurance coverage. Clearly, it is the legal obligation of your carriers to undertake this effort in your behalf without regard for the potential defense costs that may be involved. To this end, we would ask you to notify all your primary carriers of your desire to have them so proceed, and advise us of your intentions within thirty (30) days.

If you have any questions, please feel free to contact the undersigned.

Very truly yours,

Michael F. Sommerville
Manager, Special Claims Unit
Home Office Claims Department
Tel. (617) 725-6526

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encl.

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FILED
U S DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MAR 23 1981
MURRAY L. HARRIS, CLERK
BY DEPUTY

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS, TYLER DIVISION

LOYD B. DOSIER,

Plaintiff,

-against-

JOHNS-MANVILLE SALES CORPORATION, ET AL,

Defendants.

JOHNS-MANVILLE SALES CORPORATION,

Defendant and Third-Party Plaintiff,

-against-

ATLAS ASBESTOS COMPANY, LTD., ET AL

Third-Party Defendant.

STANDARD ASBESTOS MANUFACTURING AND INSULATING COMPANY,

Third-Party Defendant and Fourty-Party Plaintiff,

-against-

THE UNITED STATES OF AMERICA,

Fourth-Party Defendant.

CIVIL ACTION NO. TY-80-108-CA

FOURTH-PARTY COMPLAINT OF STANDARD ASBESTOS MANUFACTURING AND INSULATING COMPANY

AND NOW COMES Fourth-Party Plaintiff STANDARD ASBESTOS MANUFACTURING AND INSULATING COMPANY ("Standard") and brings this Fourth-Party Complaint against the UNITED STATES OF AMERICA ("USA") for indemnification and/or

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Source: https://www.industrydocuments.ucsf.edu/docs/gmnk0000